

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

METROPOLITAN LIFE INSURANCE)
COMPANY,)
Plaintiff,)
vs.) Case No. 4:11-cv-00610-JCH
MARILYN JOHNSON ALSO KNOWN AS)
MARILYN BARLOW, C&J FINANCIAL,)
LLC., AND STONER FAMILY)
FUNERAL HOME,)
Defendants.)

**ORDER IN INTERPLEADER AND ORDER OF
DISMISSAL AND DISCHARGE**

This matter having come before the Court on the Motion of Plaintiff Metropolitan Life Insurance Company (“MetLife”) for Dismissal and Discharge and the Joint Stipulation of the parties, and MetLife having deposited with the Court the amount of \$12,466.78, representing the Plan Benefits of \$11,625.00, plus applicable interest thereon, payable as a consequence of the death of William “Wigg” Powell Barlow (the “Decedent”),

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Plaintiff Metropolitan Life Insurance Company, a corporation, be and is hereby, dismissed with prejudice from this action, and Metropolitan Life Insurance Company, General Motors Company and the General Motors Life and Disability Benefits Program (the “Plan”) be, and hereby are, discharged from any and all liability whatsoever with respect to the Plan Benefits, and applicable interest thereon, payable under the Plan as a consequence of the death of William “Wigg” Powell Barlow.

2. Defendants are restrained and enjoined from instituting any action or proceeding

in any state or United States court against Metropolitan Life Insurance Company, General Motors Company or the Plan for the recovery of the Plan Benefits, and applicable interest thereon, by reason of the death of William "Wigg" Powell Barlow.

3. The Clerk of the Court shall deduct from the funds on deposit in the Registry of the Court the administrative registry fee, set by the Director of the Administrative Office of the U.S. Courts, which is 10% of the interest on the funds while invested.

4. The Clerk of the Court shall pay to Metropolitan Life Insurance Company out of the deposit made by Metropolitan Life Insurance Company into the Registry of this Court the sum of Fifteen Hundred Dollars (\$1,500.00), representing partial reimbursement of Metropolitan Life Insurance Company's attorneys fees and expenses, said payment to be made by check payable to Metropolitan Life Insurance Company and mailed to its attorney, Ann E. Buckley, Buckley & Buckley, L.L.C., 1139 Olive Street, Suite 800, St. Louis, MO 63101-1928.

. 5. After deduction of the administrative registry fee, described in paragraph 3 above, and after payment to Metropolitan Life Insurance Company of the sum of Fifteen Hundred Dollars (\$1,500.00), as set forth in paragraph 4, the balance of the funds on deposit in the Registry of the Court, including any interest that has accrued since the initial deposit of the Plan Benefits into the Registry of the Court, shall be divided equally between Defendants Marilyn Johnson, a/k/a Marilyn Barlow, and C&J Financial, LLC, by checks made payable as follows:

(a) A check to Marilyn Johnson and The Law Offices of Arthur C. Shivers, L.L.C., her attorneys, to be mailed to The Law Offices of Arthur C. Shivers, L.L.C., 3910 Lindell Boulevard, St. Louis, MO 63108-3204;

(b) A check to C&J Financial, LLC and Kramer & Frank, P.C., its attorneys, to be

mailed to Timothy M. Bosslet, Kramer & Frank, P.C., 9300 Dielman Industrial Drive, St. Louis, MO 63132.

DATE: 1/4/12



United States District Judge